

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

IN RE:

W. R. GRACE & CO.,

Debtor(s).

Edythe Kellogg,

Movant,

v.

W. R. Grace & Co.,

Respondent.

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* Case No. 01-01139 JKF
* Chapter 11

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* Objections Due: March 11, 2002
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* Hearing Date: March 18, 2002
* Hearing Time: 10:00 a.m.

ORDER

AND NOW, to wit, this 18 day of June, 2002, having heard and considered the Motion for Relief from Stay filed by KELLOGG,

for the reasons expressed on the record, that the IT IS HEREBY ORDERED, that the stay pursuant to 11 U.S.C., Section 362(d) shall be motion is denied. Movant has failed to file a proof of claim. modified to permit the Movant to validate the filing of the Litigation and to allow KELLOGG to

The litigation initiated by Movant in state court was commenced in violation of the automatic stay and policy coverage for this event. will not be permitted to proceed at this time. Movant's waiver of the \$250,000 deductible is not sufficient, in the circumstances of this case, to permit the actions to go forward without prejudice to other unsecured creditors in this estate for the Judge reasons stated in Debtor's pleadings & briefs and as cc SEE SERVICE LIST ATTACHED.

further expressed on the record by the court, which record is incorporated herein as part of the court's findings & conclusions.

Debtor shall commence any objection to the proof of claim within 30 days. Fitzgerald #1651 2/8/02